

Board of County Commissioners Agenda Request 26

Date of Meeting: 9/16/2003

Date Submitted: 9/10/2003

TO: Honorable Chairman and Members of the Board

FROM: Parwez Alam, County Administrator
Tony Park, P.E., Director of Public Works

SUBJECT: Disposition of County Property Located on the Northwest corner of the Magnolia Road/Miccosukee Road Intersection (Miccosukee Road Improvement Project Parcel #113)

Statement of Issue:

Board consideration of a bid proposal submitted in response to the Invitation for Bids for the disposition of County property located on the Northwest corner of the Magnolia Road/Miccosukee Road Intersection (Miccosukee Road Improvement Project Parcel #113) and advertised in accordance with Section 123.35, Florida Statutes (Attachment #1). Authorization for staff to negotiate contract for Purchase and Sale of Real Property, authorization for the County Administrator to execute Purchase and Sale Contract upon successful negotiations and authorization for the Chairman to execute County Deed conveying title of the property.

Background:

During the June 12, 2001 Board meeting, the Board discussed the issue of the stormwater management facility to be located in the northwest corner of the intersection of Miccosukee Road and Magnolia Drive, specifically its visual impact to the immediate area. Since this date there has been no outside funding sources identified to convert the designed stormwater management facility to a passive park. In July 2002 staff was contacted by RAM Development Company, a real estate company, requesting a sale of the property where the stormwater management facility has been constructed. During the month of August 2002, staff discussed and reviewed proposals presented by RAM Development Company and their legal counsel. During the September 10, 2002 Board meeting the Board gave its approval to continue discussions and authorized the County Administrator and County Attorney to develop a tentative agreement, subject to statutory requirements for presentation to the Board. Section 125.35, Florida Statutes, authorizes the county to sell property but requires a notice calling for bids be advertised once a week for two weeks.

During the July 22, 2003 Board of County Commissioners meeting the Board authorized advertising Invitation for Bids regarding parcel #113.

The Invitation for Bids was advertised in the local paper on July 31, and August 7, 2003 (Attachment #2). In addition to the published advertisements there were 516 DemandStar planholders notified.

Six (6) bid packages were picked up for review and one (1) bid proposal was received. The proposal received was from RAM Development Corporation in the amount of \$315,000.

Analysis:

The property is located on the northwest corner of the Magnolia Street/Miccosukee Road intersection (Attachment #3). The sale will be subject to the following restrictions/obligations;

1. The Bidder will be required to indicate on the Bid Form the intended use to be developed on the Property and the

Board, in awarding the bid, may take into consideration the compatibility of the various uses proposed for the Property with the surrounding neighborhood.

2. The successful Bidder shall, within two (2) years of the Closing Date, construct the improvements consistent with the use indicated on the Bid Form submitted by the Bidder in its bid to purchase the Property.
3. The successful Bidder shall design, construct and maintain, in perpetuity, at their sole cost and expense, a stormwater retention facility underneath the Property upon the earlier of: (i) the completion and opening for business of the intended use for the Property, or (ii) two (2) years from the Closing Date, subject to events of force majeure.
4. The underground vaulted stormwater retention facility shall be designed and constructed to provide a minimum of 0.33 acre-feet of treatment volume and provides a total storage volume of 2.52 acre-feet including attenuation as permitted for the Miccosukee Road Widening Project
5. Within thirty (30) days of the date of execution of the Purchase and Sale Agreement, the successful Bidder shall cause to be prepared conceptual drawings and a development plan reasonably necessary to document the design and construction of the underground stormwater retention facility for the Board's reasonable review and approval.
6. The successful Bidder and the Board shall execute and record a perpetual maintenance agreement against the Property at Closing to document the Purchaser's obligation to maintain the stormwater retention facility in perpetuity.

The Purchase and Sell agreement (Attachment #4) will reiterate the above restrictions/obligations and conveyance documents will be prepared with provisions for the County to inspect and enforce maintenance to ensure proper functioning of the underground stormwater facility.

The bid submittal has been reviewed by the Public Works Department, Community Development Department, the Purchasing Division, and the County Attorney and is acceptable to all departments. As described in their August 14, 2003 letter (Attachment #5), RAM Development Company proposes a Walgreen's Pharmacy for this site. The conceptual plan (Attachment #6) is for a single story building 105 feet wide by 130 feet deep, or approximately 13,650 square feet. The plans also incorporates the required underground stormwater retention facility.

Proceeds from the sale will be placed into the 308 Sales Tax Revenue Account to be used for future Capital Improvement Projects.

Options:

1. Accept the bid for \$315,000 from RAM Development Corporation.
2. Authorize staff to negotiate contract for Purchase and Sale of Real Property.
3. Authorize County Administrator to execute Purchase and Sale Contract.
4. Authorize Chairman to execute County Deed conveying title of the property.
5. Reject the bid and authorize staff to re-advertise.
6. Board Direction.

Recommendations:

Options #1, #2, #3 and #4.

Attachments:

1. Bid Summary Sheet

2. Copy of Published Invitation for Bids

3. Location Map

4. Copy of Purchase and Sell Agreement

5. Copy of RAM Development= s August 14, 2003 letter

6. Copy of Conceptual Site Plan

